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Crossing the floor and
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Crossing the Floor and the Party System

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Political and Social Affairs Division

February 1987



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CROSSING THE FLOOR AND THE PARTY SYSTEM

INTRODUCTION

Watch it. Every dog is allowed one bite, but a different view is taken of a dog that goes on biting all the time.

Prime Minister Harold Wilson
addressing backbench Labour
MPs, 2 March 1967.

Prime Minister Wilson's warning to his party's backbenchers was clear. A Member of Parliament of the party in power can disagree once in a while with the Cabinet's policies, even vote against a legislative proposal for reasons of conscience, but an MP who criticizes Cabinet actions and votes frequently against his own party will inevitably anger the party leadership. The party in power wants to maintain its majority in parliamentary votes and, through party discipline, keeps a tight rein on the votes of its MPs. Meanwhile, opposition MPs are also made aware of the necessity of toeing the party line. Indeed, nowadays the Westminster model of government is generally seen as being synonymous with the notion of strong party discipline.⁽¹⁾ The result of a vote may be a foregone conclusion, but the show of strength is important for each party. Though MPs who break ranks too often can face disciplinary action, such as temporary exclusion from their caucus, party loyalty is usually enough to temper their dissent and to make them vote again with the party.

(1) Gregory S. Mahler, "The Westminster Model Away from Westminster: Is It the Only Way?", The Parliamentarian, Vol. 67, No. 3, July 1986, p. 108.

In this environment of strong party loyalty and discipline, nothing can be more dramatic than actual defection from party ranks when MPs cross the floor to sit opposite their party or even to join the ranks of another party. If occasional dissidence by MPs raises the ire of the party leadership, it is easy to imagine the antagonism which develops when an MP thus abandons a party altogether. What, therefore, makes an MP do such a thing after having been a loyal and disciplined representative? Each crossing of the floor has its particular set of circumstances, personal and political, so that it is difficult to generalize on the causes of such defections, but the conflict which sometimes exists between the MP's role as the electors' representative and his or her role as a disciplined party follower is one factor. To determine the extent to which this is so, three aspects of the Westminster model of government will be examined: the development of party discipline, the impact of dissent within party ranks and the causes of party defections.

DISCIPLINE

Many countries have adopted the Westminster model of parliamentary government, but practices have evolved differently in each. In Canada and Australia, for example, the Westminster model was adopted long before parties became a dominant feature of the British Parliament; yet, in these two countries, party discipline is just as evident as it is at Westminster. Party discipline may not be as predominant in newer nations, but it might become so eventually, since many of these countries are now at a stage of economic and political development similar to that of Canada and Australia in the late nineteenth century, at the beginning of party politics.⁽²⁾ Party discipline develops when political parties want to ensure that their legislative proposals or their opposition to them will be regularly endorsed in the parliamentary votes of their representatives.

(2) N.J. Miners, "Floor Crossing and Pork-Barrel Politics in New Nations," Parliamentary Affairs, Vol. 25, No. 1, Winter 1971-1972, p. 17.

In Britain and Canada, party politics became a factor when the franchise was further widened around 1867. In Britain, this extension, among other things, made the electorate too large to be bribed, thereby increasing the need to contact it through political parties.⁽³⁾ Political groupings within the House of Commons were not new, but the enlarged franchise increased the importance of the parties in the election of representatives. Party discipline became a factor in voting in the House only in the early part of the twentieth century, when the party organization within Parliament became as developed as the organization outside it and the need for better communication between the party leadership and the Members had become evident.⁽⁴⁾

In Canada, political parties went through similar stages of development. Prior to Confederation, political groupings existed in the various legislatures, but the period was marked by great instability. The most successful government coalition in the Province of Canada was formed by the Liberal-Conservative party led by John A. Macdonald; this party, though weaker than that of the Liberals, was more disciplined and cohesive.⁽⁵⁾ Though the advantages of party discipline were already becoming evident, national parties did not develop quickly after Confederation in 1867 -- partly because of the nature of the electoral process. In the general elections of 1867, 1872 and 1874, the voting was open and some constituencies voted after others. This situation favoured the government; voters did not want to be seen as supporting the opposition and constituencies were careful to vote for the winners in the other constituencies. This did not help the development of national political parties; both the MP and the voters of a constituency were more concerned with being on the winning side than with having their political views

(3) Philip Norton, "The Organization of Parliamentary Parties," in S.A. Walkland, The House of Commons in the Twentieth Century, Essays by Members of the Study of Parliament Group, Clarendon Press, Oxford, 1979, p. 7.

(4) Ibid., p. 9.

(5) Hugh G. Thorburn, "The Development of Political Parties in Canada," in Hugh G. Thorburn, Party Politics in Canada, 5th ed., Prentice-Hall, Scarborough, 1985, p. 3.

represented.⁽⁶⁾ Prime Minister Macdonald called MPs from such constituencies "loose fish". The number of "loose fish" dropped dramatically in the general election of 1878 when the secret ballot was introduced and voting took place simultaneously in most constituencies. Party affiliation was now a key factor not only in electing an MP, but also in determining who would form the government.⁽⁷⁾

Political parties continued to evolve as Canada developed westward. Constituencies in the West were careful to vote for the government side until the railway was completed, but turned to partisan politics once it was safe to do so. Therefore, by 1896, the Conservative and Liberal parties had become national entities and a national two-party system was well established.⁽⁸⁾ Both parties sought support from all classes and from all religious and ethnic groups so that conflicts among these were dealt with quietly within each party rather than openly between the two parties.⁽⁹⁾ This approach imposed a discipline on party members.

The development of Australian party politics was similar but more turbulent. Disciplined parties emerged around 1890, but conflicts between and within them were more open and disruptive. The real impetus to the development of party discipline was a series of dramatic defections from one party to another in the early 1900s.⁽¹⁰⁾ Australian parties became some of the most disciplined in the world in reaction to the tumult of these early years.

In short, in spite of totally different conditions, by the early part of this century, political parties in Britain, Canada and Australia had reached a similar level of party discipline in their respective legislatures. Over the years, the advantages of party discipline had

(6) Escott Reid, "The Rise of National Parties in Canada," in Hugh G. Thorburn, Party Politics in Canada, 5th ed., Prentice-Hall, Scarborough, 1985, p. 12.

(7) John C. Courtney, "Recognition of Canadian Political Parties in Parliament and in Law," Canadian Journal of Political Science, Vol. 11, No. 1, March 1978, p. 35.

(8) Reid (1985), p. 17.

(9) Thorburn (1985), p. 5.

(10) Dean Jaensch, The Australian Party System, George Allen and Unwin, Sydney, 1983, p. 122.

become evident, especially for the party forming the government: it was assured of having its legislative program passed, leaders could devote more time to governing rather than to rallying the support of party members and the stability of the government was ensured. Opposition parties also saw advantages in party discipline, such as its help in presenting a strong and united position against government policies and as preparation for the time when they would form the government. While political parties developed and party discipline took hold in the legislatures, however, the notion of the representative role of the MP did not necessarily keep pace. Thus, though Hansard did not indicate party affiliation, political parties came to dominate the day-to-day workings of the legislature.

When political parties were just loose groupings of partisans, MPs saw themselves as individuals representing constituencies. For Edmund Burke, the influential eighteenth century political thinker, parliamentary deliberation was supposed to produce rather a consensus among the MPs on actions which would be in the interest of the nation, than a divided legislature under the majority's sway.⁽¹¹⁾ Burke supported the trustee style of representation, which implied the MP should advance both the constituency and national interest instead of being simply a delegate of the constituency. One of the greatest ironies of British parliamentary politics in the nineteenth century was the development of disciplined political parties at a time when this trustee style of representation was being asserted.⁽¹²⁾ Members of Parliament became primarily representatives of political parties. MPs were elected because they represented a party platform and were committed to supporting the implementation of that platform whenever it came to a vote in the House. This was as true in Canada and Australia as it was in Britain. Even so, long after the turn of the century, Canadian MPs still claimed that parties did not play an important role in the House. A Member representing the Commonwealth Cooperative Federation (CCF), E. Regier, stated in 1955:

(11) David Judge, "British Representative Theories and Parliamentary Specialisation," Parliamentary Affairs, Vol. 33, No. 1, Winter 1980, p. 43.

(12) Ibid., p. 45.

It is a valuable feature in the whole British parliamentary system that political parties as such are not recognized. If they are not recognized and if, in the first place, I owe my loyalty to this house as a member of the House of Commons and not as a member of the CCF, then it also is very important that we do not strengthen the hands of political organizations in Canada as such.(13)

Even in the 1950s, many parliamentarians still viewed representation as being inherently individualistic, still believed that the collective wisdom of individual MPs was preferable to the narrower view of political parties and still felt a greater loyalty to Parliament than to these parties.(14) Yet, in the same period, many legislatures witnessed the strongest party cohesion ever.

Such was the case in Britain between 1945 and 1970 where both the Labour and Conservative parliamentary parties demonstrated a very high degree of cohesion.(15) Party cohesion was also strong in Canada, even in provincial legislatures such as that in Quebec, where the governing party did not encounter any dissenting vote by its members between 1945 and 1960.(16) At the federal level, party cohesion became even more important in the 1960s because of numerous minority governments and the increasing presence of third parties. Why did parliamentarians who viewed representation as being individualistic demonstrate so much party cohesion in divisions? The answer is party discipline.

A political party expects support from its representatives in the legislature and can discipline those who do not toe the party line. Most representatives never have to be disciplined because they are very loyal to their party and always act in its interest and follow its directives. Representatives have obligations to the party leadership which

(13) Canada, House of Commons, Debates, 12 July 1955, p. 6002.

(14) Courtney (1978), p. 33.

(15) Philip Norton, "The Changing Face of the British House of Commons in the 1970s," Legislative Studies Quarterly, Vol. 5, No. 3, August 1980, p. 333.

(16) Louis Massicotte, "Le Parlement du Québec en transition," Canadian Public Administration, Vol. 28, No. 4, Winter 1985, p. 557.

supported their candidacies and to the electorate which selected their party platform over another.⁽¹⁷⁾ Indeed, the high level of party cohesion in Canada, at both the federal and provincial level, during the 1935-1965 period was largely due to the control exercised by the leadership over party resources.⁽¹⁸⁾ Such control is understandable since MPs, even with exceptional efforts, simply cannot reach or, more importantly, affect the electorate to the same extent as the party leader or platform.⁽¹⁹⁾ Moreover, only the party has the resources to mount the costly campaigns in the mass media which are an essential part of modern day elections. Therefore, MPs already owe much to their parties when they enter Parliament.

In countries with long experience with the Westminster parliamentary model, party discipline is now an established tradition. Members develop a kind of routine loyalty, agreeing naturally with the dictates of party discipline or learning to live with them.⁽²⁰⁾ After all, the representatives agreed when they stood for election to use party labels and share the ideological goals which brought their party together in the first place. Again, for the party forming the government, party discipline is necessary to pass the legislation it formulates and to retain the confidence of the House. The frontbench MPs, those who form the Cabinet, need the voting support of the backbench MPs of their party to remain in power. It is also in the interest of backbenchers to support the frontbenchers in order to allow the Cabinet to prepare policies which will satisfy the demands of the electorate and ensure re-election of the governing party.

(17) Edward Crowe, "The Web of Authority: Party Loyalty and Social Control in the British House of Commons," Legislative Studies Quarterly, Vol. 11, No. 2, May 1986, p. 164.

(18) Paul Pross, "Parliamentary Influence and the Diffusion of Power," Canadian Journal of Political Science, Vol. 28, No. 2, June 1985, p. 244.

(19) William Irvine, "Does the Candidate Make a Difference? The Macro-Politics and Micro-Politics of Getting Elected," Canadian Journal of Political Science, Vol. 15, No. 4, December 1982, p. 779.

(20) Crowe (1986), p. 165.

For added measure, the governing party can offer patronage. A good portion of the party caucus is already bound by discipline through appointment to positions such as those of Cabinet Ministers or parliamentary secretaries.⁽²¹⁾ The promise of promotion to such desirable positions, appointment to committees or special positions, or the allocation of resources to their constituencies is usually sufficient to ensure discipline in the caucus members. Of course, parties in opposition do not have the same resources, but loyalty while in opposition improves the chances for MPs to be nominated to frontbench positions when their party forms the government. Besides, disunity within an opposition party is considered harmful to its image in the electorate,⁽²²⁾ and if opposition MPs ever hope to be nominated to the front-benches, they must first help their party to win electoral favour.

If these incentives are not sufficient to keep MPs in line, parties can also threaten to use disciplinary action. The party leader and the party whip can threaten an MP who criticizes the party or votes against its legislation too often with a series of sanctions. These include expulsion from the caucus, delay or denial of promotions, withdrawal of office accommodation and staff, refusal of assistance for constituency work, loss of appointments to committees and delegations, denial of opportunity of asking questions in Question Period and even the withholding of party resources and party label at election time.⁽²³⁾ The variety and scope of sanctions which party leaders and whips can impose on MPs clearly demonstrate the control of political parties over parliamentary affairs. Outside Parliament, party organizations such as constituency associations can also impose sanctions on a disloyal MP, including withdrawal of support for re-election. To avoid arousing an MP's resentment, the party leader and whip may rely on criticism by the party's constituency organization to

(21) Richard Rose, "Still the Era of Party Government," Parliamentary Affairs, Vol. 36, No. 3, Summer 1983, p. 285.

(22) Crowe (1986), p. 161.

(23) Lucinda Flavelle and Philip Kaye, "Party Discipline and Legislative Voting," Canadian Parliamentary Review, Vol. 9, No. 2, Summer 1986, p. 7.

bring the Member back into line rather than threatening sanctions at the parliamentary level.⁽²⁴⁾ A disloyal MP could, however, face party sanctions at both the parliamentary level and in the constituency.

For good measure, some parties also adopt formal disciplinary rules which are made clear to candidates before they even stand for election. The Parliamentary Labour Party in Britain, for example, has the power to punish Members who do not vote in accordance with the decisions of the parliamentary party, except for abstentions for reasons of conscience.⁽²⁵⁾ In New Zealand, candidates for the Labour Party must sign a pledge which stipulates that they must vote as directed by the caucus of the party.⁽²⁶⁾ A pledge is also used by the Australian Labour Party. The Liberal Party in Australia does not use pledges, but obtains almost the same level of party cohesion through careful pre-selection of candidates.⁽²⁷⁾ Indeed, most political parties pay special attention to party loyalty when recruiting candidates. For the New Democratic Party (NDP) in Canada a good candidate believes in party policy and is not likely to engage in a personal vendetta.⁽²⁸⁾ Moreover, a party leader may refuse to endorse a candidate who has won nomination at the constituency level but who may not entirely agree with party policy. In 1974, for example, the leader of the Progressive Conservative Party, Robert Stanfield, refused to endorse Leonard Jones's candidacy, since his views on bilingualism were not in accord with those of the party.⁽²⁹⁾

In short, in many Parliaments shaped in the Westminster mould, party discipline is a predominant feature because of the importance of party voting in the legislative procedure, the loyalty MPs have for their party and the scope of sanctions which can be imposed on MPs if they

(24) Crowe (1986), p. 163.

(25) Norton (1979), p. 25.

(26) Keith Jackson, "Caucus -- the Anti-Parliament System?", The Parliamentarian, Vol. 59, No. 3, July 1978, p. 159.

(27) Jaensch (1983), p. 123.

(28) "Recruiting Candidates for Elected Office, How Parties Make Them Run," Parliamentary Government, Vol. 2, No. 2, Winter/Spring 1981, p. 14.

(29) Courtney (1978), p. 53.

step out of line. Yet, despite the weight of tradition and the consequences of disloyalty, MPs sometimes ignore the dictates of their party and vote against it.

DISSENT

In general, Parliaments have often witnessed isolated cases of dissent, even as party discipline became more and more stringent. MPs dissented either by criticizing their party's policies or by actually voting against their party in divisions. With party caucuses containing dozens and even hundreds of MPs, one can expect difficulty in obtaining complete unanimity on every political question. But in the last quarter century, parliamentary dissent has attracted considerable attention because it manifests itself, sometimes quite strongly, at a time when party discipline appeared to be at its peak in many Parliaments. Dissent in the "Mother of Parliaments," the British Parliament, has attracted most of the attention.

In the 1960, and even more in the 1970s, rebellious behaviour by British MPs increased considerably at Westminster. Many MPs in the governing party often ignored party discipline and voted against the government, especially in the 1970-1974 period when the Conservatives were in power. One hypothesis blames the dissent on poor leadership by Prime Minister Edward Heath and the resulting poor communications between the frontbenches and the backbenches.⁽³⁰⁾ Failure by the leader to make appointments effectively and to communicate with backbenchers would certainly reduce party cohesion, especially in the Conservative party where loyalty to and agreement with the leader was more important than in the Labour party, which considered the platform more important.⁽³¹⁾ A second hypothesis points out that governments were defeated in many votes during

(30) Mark Franklin, Alison Baxter and Margaret Jordan, "Who Were the Rebels? Dissent in the House of Commons, 1970-1974," Legislative Studies Quarterly, Vol. 11, No. 2, May 1986, p. 145.

(31) Crowe (1986), p. 171.

the 1970s without being forced to resign.⁽³²⁾ Between 1972 and 1979, the Conservative and Labour governments suffered 65 defeats in divisions, but, since most of these defeats were not on votes of confidence, the government remained in power. The grip of party discipline on MPs therefore loosened as cross-voting became more acceptable and threats of disciplinary action by whips and constituency organizations no longer had the same impact.⁽³³⁾ A third hypothesis contends that parliamentary behaviour has changed because the social characteristics and occupational backgrounds of MPs are quite different from those of their predecessors.⁽³⁴⁾ The trend among backbenchers is to treat their position as full-time rather than part-time work and this, among other things, may encourage them to assert their views on policy and vote as they wish.⁽³⁵⁾ In short, the new breed of MP is apparently more willing to demonstrate its dissension. In fact, the dissent of British MPs during the 1970-1974 period was likely the result of the combination of all three factors: poor communication within the party caucus, reduction in the consequences of dissent and a more independent attitude among MPs. These factors, together or separately, can also explain growing dissent in other Parliaments based on the Westminster model.

The level of dissent in the British House attracted considerable attention and, in fact, paved the way for procedural reform in that country.⁽³⁶⁾ In Canada, the British example no doubt influenced the Special Committee on the Reform of the House of Commons which called for the relaxation of party discipline in 1985. By treating fewer votes as questions of confidence, it was suggested that MPs would be freer to vote against their party. The fact remains that the most

(32) Franklin et al. (1986), p. 145.

(33) Philip Norton, "Britain's Reform Parliament," The Parliamentarian, Vol. 67, No. 2, April 1986, p. 62.

(34) Franklin et al. (1986), p. 144.

(35) Richard Rose, "British MPs, More Bark than Bite?", in Ezra Suleiman, Parliaments and Parliamentarians in Democratic Politics, Holmes and Meier, New York, 1986, p. 23.

(36) Norton (1986), p. 62.

dissenting MP of the 1974-1979 British Parliament still voted with his party in 90% of the divisions.⁽³⁷⁾ In 1,505 divisions, the MP voted against the party 156 times, a considerable number, but not necessarily an indication of complete independence. In short, even the dissenting MPs voted with their party most of the time and the majority of MPs did so all the time. Party discipline no longer guaranteed complete unanimity when MPs voted, but it had by no means disappeared.

In fact, most of the dissent at Westminster was in the name of greater partisanship.⁽³⁸⁾ Most MPs who vote against their party do so not because they no longer agree with the platform, but rather because they disagree with the manner in which parts of it are represented in the House. Differences of opinion between the MPs of a party are usually worked out in the party's caucus before the vote in the House. MPs vote against their party when they cannot reconcile themselves to the views held by the majority in the caucus and because they are so committed to their own views that they can resist the exhortations of party colleagues, whip and even leader. By voting against their party, MPs simply wish to demonstrate their dissent. The fact that, at Westminster, governments can be defeated in votes yet not forced to resign, gives MPs greater freedom to dissent because the consequences are not as serious as before. A similar situation exists at present in Ontario where, in a minority government situation, the Liberal and NDP leaders have agreed that only the budget and specific motions of confidence will be considered matters of confidence. As at Westminster, however, the new situation has not really changed voting patterns.⁽³⁹⁾ MPs still usually align themselves with their parties when there is a vote and party cohesion is still evident.

In short, dissent among MPs is still very much a lone-wolf phenomenon.⁽⁴⁰⁾ In countries such as Canada, Australia and Britain, party cohesion is such that only a small number of MPs ever cast dissenting

(37) Rose (1986), p. 25.

(38) Ibid., p. 27.

(39) Flavell and Kaye (1986), p. 9.

(40) Rose (1986), p. 27.

votes. Dissenting MPs seldom band together to plead their case and do not necessarily share the same views just because each may vote against the party. Dissent is an individual action, something difficult in a body like a legislature where the group is all-important. An MP belongs not only to a group of partisans, the party, but also to a group of colleagues, parliamentarians, who expect that MP to follow the rules of the game. As a former Canadian parliamentarian once noted, "the most compelling reason for not voting against one's party is the desire to get along with and to be well thought of by one's closest associates."⁽⁴¹⁾ Furthermore, simply as a matter of courtesy, MPs cannot argue against party policy in the House, much less vote against it, without notifying fellow caucus members beforehand. As another Canadian parliamentarian stated, "You just don't do it that way."⁽⁴²⁾ In short, tradition, party discipline and group pressure by no means encourage individual dissent. The fact that such dissent has increased in some Parliaments in recent years may be a reflection of the so-called new breed of MP, representing a general mood of individualism.⁽⁴³⁾ Other factors must also be taken into account.

Dissent may be more evident at Westminster than elsewhere simply because the number of MPs is so large. British MPs may be seen to be far more likely to cast dissenting votes than their Canadian counterparts,⁽⁴⁴⁾ but there are, after all, over 600 MPs at Westminster compared with 282 in the Canadian House and the size of party caucuses are much larger also. The likelihood of having more independently-minded MPs is far greater in large caucuses and party discipline is more difficult to maintain. An MP at Westminster can dissent with the knowledge that some 300 fellow members of the caucus will vote for the party. MPs in Canada, and especially those in countries with small legislatures such as New Zealand, do not have the same luxury; each individual vote is more

(41) Mark MacGuigan, "Parliamentary Reform: Impediments to an Enlarged Role for the Backbencher," Legislative Studies Quarterly, Vol. 3, No. 4, November 1978, p. 680.

(42) Lynda Rivington, "Sanctum/Sanctorum, The Role of Caucus," Parliamentary Government, Vol. 4, No. 1, 1983, p. 7.

(43) Franklin et al. (1986), p. 156.

(44) Jonathan Lemco and Peter Regenstreif, "Less Disciplined MPs," Policy Options, Vol. 6, No. 1, January 1985, p. 33.

important and the party caucuses are accordingly more concerned about discipline. The size of the caucus is clearly an important factor in party cohesion.⁽⁴⁵⁾ British MPs appear to some to be less blindly loyal to parties than Canadian MPs and more accountable to their constituents because they can take independent positions on issues.⁽⁴⁶⁾

Other factors may affect the extent of dissent in a House. Conflicts between regional and national interests can be quite divisive in national politics and parties try to reconcile divergent views on national issues among their MPs at the caucus level. Open dissent in the House by an MP favouring regional rather than national interests may be very damaging to parties trying to project a united front on national issues. In countries such as Canada, where the reconciliation of regional differences is an ever present feature of national politics, the maintenance of party discipline is essential for parties hoping one day to implement national policies.⁽⁴⁷⁾ However, the difficulty in reconciling regional and national interests does not facilitate the task of MPs who want to honour their obligations to both their party and their constituency.

The duration of parliamentary sessions may also affect the amount of dissent. Legislatures with short sessions must pass legislation as quickly as possible in the time available and therefore parties cannot afford to relax discipline. The shortness of the session, however, also makes contact between ministers and backbenchers of the governing party less frequent and more formal, and thereby increases the possibility of backbench disenchantment.⁽⁴⁸⁾ Thus, shorter sessions may add to the need for party discipline.

In short, there are many factors which can make dissent more or less likely, but it is still up to individual MPs to decide if the lack of contact with the frontbenches, the interests of the region they

(45) Jackson (1978), p. 159.

(46) Lemco and Regenstreif (1985), p. 33.

(47) Robert Stanfield, "The Role of National Parties," Policy Options, Vol. 5, No. 4, July 1984, p. 6.

(48) Michael Atkinson, "Comparing Legislatures: The Policy Role of Backbenchers in Ontario and Nova Scotia," Canadian Journal of Political Science, Vol. 13, No. 1, March 1980, p. 68.

represent or the safety of having large numbers of Members are strong enough reasons for them to vote against their party. MPs can vote against a party in 10% of divisions and attract a lot of attention, yet retain strong party ties. They can, however, demonstrate their frustration and disenchantment with the party in a still more dramatic way, -- by defection.

DEFECTION

In some Parliaments, MPs have to cross the floor to vote against their party. The "yeas" go to one side of the House and the "nays" to the other. In New Zealand, for example, simply voting against one's party is called crossing the floor.⁽⁴⁹⁾ But that term is usually associated with MPs who actually cross the floor to join a different party or to sit as independents. In Canada, MPs leaving their party request the Speaker to change the seating arrangements in the House so that they can sit opposite their former party or at least outside the bloc of seats reserved for it. Crossing the floor indicates a definite break with all the ties that bind the MP to the political party. For the party, the MP is a turncoat; for the electors, however, the MP continues to be their representative in the House. MPs are elected because of their party label but, in most democracies, they are under no constitutional obligation to retain that label during the whole mandate.⁽⁵⁰⁾ Constituents who elected an MP because of the party platform he or she represented may find themselves with an MP from another party or without any party affiliation at all and they can do very little about the situation until the next election.

It is not easy for MPs to cross the floor of Parliament and to leave a party with which they have been associated for a long time. In the past, some parliamentarians changed allegiance more than once, but

(49) Jackson (1978), p. 162.

(50) Miners (1971-1972), p. 11.

still made their mark on a nation's politics; Sir Winston Churchill comes to mind. Many other parliamentarians also left their parties in dramatic ways, however, only to disappear quietly from the political scene shortly thereafter. Of course, there are also cases where parliamentarians have lost elections or quit politics, only to return years later as members of a different party. But this study focuses on MPs who enter the House with a party label and accept their party's discipline until the day they decide to leave. The gravest consequence they face is no doubt the loss of the party label. MPs who vote now and then against their party are threatened with the withdrawal of this label and support at the next election, a formidable sanction for MPs hoping to be re-elected.⁽⁵¹⁾ A defecting MP, however, automatically loses the party's electoral support and is often made well aware of the ill-feelings generated by the defection. If he or she joins another party, new electoral support is gained of course, although the party may view its new member with some suspicion. But many defecting MPs leave their party to sit as independents in the House and, in general, face bleak prospects at the polls.⁽⁵²⁾ Though there are cases where independents have won election, for example, Leonard Jones in 1974, facing the electorate as an independent is a risky proposition. Even so, some MPs are willing to take the risk.

Tradition, party loyalty, the threat of sanctions and group pressure are usually sufficient to keep even the most dissenting MPs in their party. MPs must therefore have special reasons for defection. In most cases, they defect in order to indicate, in a dramatic fashion, their dissatisfaction with the party leadership, rather than because another party's leadership or platform is more attractive.⁽⁵³⁾ The effectiveness of the action may outweigh the costs. Dissatisfaction may be over a specific policy or the general direction of the leadership's policy. For example, in 1978, James Richardson left the Liberal benches to sit as an

(51) Crowe (1986), p. 163.

(52) John Pentney, "Worms that Turned: The Inter-Party Mobility of British Parliamentary Candidates since 1945," Parliamentary Affairs, Vol. 30, No. 4, Autumn 1977, p. 370.

(53) Pentney (1977), p. 367.

independent in order to protest the Cabinet's position on the Constitution. For his part, Roch LaSalle left the Progressive Conservative Party in 1971 to sit as an independent for three years because of disagreement on party policies towards Quebec. Paul Hellyer left the Liberals in 1971 to sit as an independent Liberal to protest the lack of action on housing policies; in 1972, he became a Progressive Conservative. The most recent case was Robert Toupin's resignation from the Progressive Conservative caucus in May 1986 to protest the party's policies on Quebec. Toupin sat as an independent until 16 December when he announced that he had joined the New Democratic Party caucus. In Canada, there have been almost 40 crossings of the floor since 1940; most of them resulted in permanent breaks with the former party.

As in the case of dissent, defection is an individual action. Since 1940, there have been only three cases in Canada where two or more MPs defected together. In 1964, two Members from the Social Credit Party crossed over to the Progressive Conservatives. The two other defections took place over the conscription issue; three Liberal MPs from Quebec crossed the floor in February 1943 to form the Bloc populaire canadien (the only case since 1940 where a group of MPs have left a party together to form another), and four Liberals from Quebec left in November 1944 to sit as independents or to join the Bloc populaire.

When neither the conciliation efforts nor the threats of sanctions of the caucus can resolve the issue, MPs defect because dissent or abstention on a vote would not indicate the full measure of their disenchantment. The situation is similar in Britain, where protest through defection is still the preserve of individual MPs.⁽⁵⁴⁾ British parliamentary politics, however, recently witnessed a mass defection of MPs when a dozen Labour MPs defected in March 1981 to join the Social Democratic party (SDP) and were joined later by a dozen more Labour MPs and one Conservative. The defection was basically the result of dissatisfaction with Labour party policies and optimism concerning the electoral chances of the new party. The fact that three-quarters of the MPs who had defected to

(54) Ibid., p. 366.

the SDP lost their seats in the next election confirms the high price paid by MPs who leave one party for another.⁽⁵⁵⁾

In Canada and Britain, mass defections are relatively rare, especially when compared to those which occurred in India, for example, where in 1969, one-quarter of the Congress party MPs defected to protest the party's leadership.⁽⁵⁶⁾ In fact, party defections became such a problem in India that legislation was passed in 1985 prohibiting MPs from defecting from their party or even voting against it without permission.⁽⁵⁷⁾ The number of MPs defecting from parties was quite high, especially in the 1960s, but the number of times MPs changed parties also became a problem, some changing as many as five times. These defections not only hampered the stability of state and national governments, but also displayed indifference to political proprieties, public opinion and concerns about corruption.⁽⁵⁸⁾ India and other Third World countries are experiencing the same difficulties Macdonald faced with the "loose fish," but cannot afford to develop party discipline and stable government as gradually as Canada, Britain and others did. The size of the caucuses as well as the size of the population represented also compound the difficulties in establishing party discipline. Thus, India has to establish through legislation what other countries have developed through evolution.

In countries such as Canada and Britain, party defections may have particular impact in minority governments when an MP disenchanted with his party's leadership may be enticed to defect by other parties in order to improve their standing in the House. A party lacking representation from certain regions may also attempt to encourage an MP to defect in order that it may obtain a more national image, always a preoccupation of Canadian parties. To entice an MP, a party may offer a Cabinet position, a patronage appointment or at least the promise of such rewards. In 1977,

(55) Rose (1986), p. 36.

(56) Miners (1971-1972), p. 12.

(57) Sudarshan Agarwal, "The Anti-defection Law in India," The Parliamentarian, Vol. 67, No. 1, January 1986, p. 24.

(58) Ibid., p. 23.

for example, the Liberals, who lacked MPs from the West, encouraged a prominent western MP, Jack Horner, to leave the Progressive Conservatives. Horner crossed the floor to the Liberals on 20 April and was appointed Minister without Portfolio the next day. In the Ontario legislature, an NDP MPP from the northern region of the province, David Ramsay, defected to the minority Liberal government in October 1986 amid charges that he had been promised various rewards to defect and thus bolster the Liberals' representation in northern Ontario. The resentment felt by a defecting Member's former colleagues is usually heightened when the floor is apparently crossed for a reward.

Parties with good electoral prospects, however, can encourage MPs to accept the personal and political sacrifices involved in defection in exchange for another kind of reward, electoral success.⁽⁵⁹⁾ The major parties can offer both better electoral prospects and better chances of obtaining Cabinet posts to MPs of third parties, which may explain why so many defections since 1940 have been from third parties to one of the two major parties. On the other hand, defections from the Liberal or Progressive Conservative parties have usually been to the other major party or to independent seats. Of course, not all of these defections were the result of enticement and only a case by case study would show to what extent it is a factor. The truth is that enticement can have little effect on MPs if they are not already disenchanted with their party.

CONCLUSION

In many countries, party discipline is a dominant feature of parliamentary life; in some countries Parliaments have even legislated it into place because of its recognized contribution to the stability of government. But the development of party discipline has complicated the role of the Member of Parliament as a representative of the electorate. MPs are faced with a dilemma, since the electorate persists in voting for

(59) Pentney (1977), p. 367.

the party rather than for the individual, but also complains about the lack of independence of MPs who always toe the party line.⁽⁶⁰⁾ Partisan politics play an important part in determining which party will form the government, but do not necessarily facilitate the representation of the electorate. Electors may feel that their local MP cannot adequately represent them while belonging to a party which rejects their views.⁽⁶¹⁾ At the same time, many Members may feel strongly committed not only to their party, but also to their electors and the nation.⁽⁶²⁾ On some issues, they may have difficulty in reconciling these loyalties, yet party discipline is so strong that MPs usually honour their obligations to it above all else. If MPs decide, on the other hand, to place their obligations to their electorate before those to the party, they can vote against their party or they can defect. The costs of such actions are high and voters are not always grateful. Moreover, the party label is now so important in elections that an MP who does not have full party support or who has switched parties may find the chances for re-election considerably reduced.

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(60) Judge (1980), p. 50.

(61) Irvine (1982), p.

(62) Rivington (1983), p. 6.

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